

**REMARKS**

Claims 1-19 were rejected under 35 USC §102(e) as being anticipated by Booth (U.S. Patent No. 6,065,073). This rejection is hereby traversed and reconsideration and withdrawal thereof are respectfully requested. The following is a comparison of the present invention as claimed with the Booth reference.

The invention provides for an arrangement for polling external physical layer device (PHY) registers in a network. The arrangement comprises a number of poll registers that store information indicating which PHY registers are to be polled. A number of poll data registers receive polled information from the PHY registers. Poll logic automatically polls those PHY registers indicated by the information in the poll registers as PHY registers to be polled, and stores the polled information in the PHY registers.

The present invention addresses and resolves problems related with software overhead in determining network conditions from the information contained in the registers of the PHY devices. This is accomplished through the auto-poll registers that contain the registered numbers and addresses of the PHY registers to be polled. The auto-poll logic examines the auto-poll registers to determine whether auto-polling is enabled for a particular register. The arrangement disclosed in the Booth reference fails to identically disclose the claimed features.

Booth, U.S. Patent No. 6,065,073, relates to an auto-polling unit for interrupt generation in a network interface device. Significantly, when comparing the claim of the invention to Booth, the Examiner failed to provide any corresponding structure in Booth of the number (n) of poll registers that store information indicating which PHY registers

are to be polled. The Examiner pointed to columns and lines in Booth for the other elements recited in claim 1. The reason for this omission by the Examiner is quite clear. Booth fails to disclose poll registers that store information indicating which PHY registers are to be polled. As discussed at column 19, lines 57-62, when the host CPU 202 begins writing a PHY, auto-polling unit 920 is able to determine the address of the PHY device that will eventually will poll. However, this description does not identically disclose a number of poll registers that store information indicating which PHY registers are to be polled. The passage only describes an ability of an auto-polling unit to determine an address of an entire PHY device that will eventually be polled. However, PHY devices often have a number of registers, as depicted in Fig. 3 and described in the present specification. For example, a single PHY device 62 may contain six different PHY registers 76, as depicted in Fig. 3. In the present invention, assuming that an auto-polling enable bit is set to allow auto-polling of the poll logic 70, in that the enable bit is set in the enabled field of a poll register 72, the poll logic 70 reads a corresponding PHY register indicated by the register number field and the PHY address field in the poll register 72 (see page 8, lines 8-10 of the present specification).

Booth simply does not describe nor suggest the use of such poll registers that store and indicate which of the PHY registers are to be polled. There is no clear indication as to how the auto-polling unit of Booth is able to determine the address of the PHY device that it will eventually poll. The present invention, in addition to obtaining information automatically through polling logic, allows the information to be obtained from different PHY registers stored in corresponding poll data registers. The use of poll

registers allows any number of different registers of different PHY devices to be polled. The PHY registers that may be polled are selectable by the user.


Since Booth fails to identically disclose each and every element of independent claim 1 and independent claim 13, the rejection of these independent claims, as well as those claims dependent therefrom, should be reconsidered and withdrawn.

Hence, in view of the amendment and remarks above, this application should be considered in condition for allowance and the case passed to issue. If there are any questions regarding this Amendment or the application in general, a telephone call to the undersigned would be appreciated to expedite the prosecution of the application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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**Date: May 21, 2003**